



DEPARTMENT OF THE ARMY
OFFICE OF THE GENERAL COUNSEL
104 ARMY PENTAGON
WASHINGTON DC 20310-0104

February 22, 2000

MEMORANDUM FOR ASSISTANT SECRETARY (FINANCIAL MANAGEMENT
& COMPTROLLER)

SUBJECT: Construction of Contingency Facility Requirements

This memorandum supercedes a memorandum from this office dated January 21, 1997, subject as above, regarding the proper funds to use for construction of facilities to support military operations.

Operation and Maintenance, Army appropriations are the appropriate funding source for acquisition of materials and/or cost of erection of structures during combat or contingency operations, as defined in 10 U.S.C. Section 101(a)(13) that are clearly intended to meet a temporary operational requirement to facilitate combat or contingency operations. Such structures may not be used for the purpose of satisfying requirements of a permanent nature at the conclusion of combat or contingency operations. Military Construction, Army appropriations shall be used in all other situations, including all construction used after the termination of military operations necessitating the construction, except those minor construction projects authorized pursuant to 10 USC Section 2805(c).

A handwritten signature in black ink, appearing to read "M. Reres", is positioned above the typed name.

Matt Reres

Deputy General Counsel
(Ethics & Fiscal)